

REMARKS

Claims 69-98 remain in the present application. Claims 69-98 are amended herein. Applicants respectfully submit that no new matter has been added as a result of the claim amendments. Applicants respectfully request further examination and reconsideration of the rejections based on the arguments set forth below.

Drawing Objections

The drawings are objected to since the specification allegedly does not mention element number 200 shown in Figure 2. Element number 200 has been removed from Figure 2 as shown in the replacement sheet filed herewith. Accordingly, Applicants respectfully request withdrawal of the drawing objection.

Claim Rejections – 35 U.S.C. §112

Claims 69-78 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as the invention. Claims 69-78 are also rejected under 35 U.S.C. §112, second paragraph, as being incomplete. Additionally, page 3 of the rejection states that “[i]t would be unclear to one having ordinary skill in the art how a ‘single-piece cover’ can comprise at least two distinct portions.”

All references to the term “single-piece cover” in Claims 69-78 have been changed to “cover.” Thus, Applicants respectfully submit that Claims 69-78

comply with 35 U.S.C. §112, second paragraph, and therefore, overcome the 35 U.S.C. §112 rejections of record.

Claim Rejections – 35 U.S.C. §103

Claims 69-70, 73-74, 76-80, 83-84, 86-90, 93-94 and 96-98

Claims 69-70, 73-74, 76-80, 83-84, 86-90, 93-94 and 96-98 are rejected in the present Office Action under 35 U.S.C. §103(a) as being allegedly unpatentable over United States Patent Number 5,812,188 to Adair (referred to herein as “Adair”) in view of United States Patent Number 4,821,029 to Logan et al. (referred to herein as “Logan”) and further in view of Figures 1 and 2 of the instant application (referred to herein as “the Figures”). Applicants respectfully submit that the embodiments of the present invention as recited in Claims 69-70, 73-74, 76-80, 83-84, 86-90, 93-94 and 96-98 are not rendered obvious by Adair in view of Logan and further in view of the Figures for the following reasons.

Applicants respectfully direct the Examiner to independent Claim 69 that recites a portable electronic device comprising (emphasis added):

- a processor;
- a memory coupled to said processor; and
- a display assembly comprising:
 - a display comprising a display surface and a first side, wherein said display surface and said first side are not planar;
 - a digitizer disposed above said display and operable to provide an input to said portable electronic device responsive to a deformation of said digitizer; and
 - a cover disposed above said digitizer and operable to enable said deformation of said digitizer responsive to a contact with said cover, wherein a first portion of said cover overlaps said display surface, wherein a second portion of said cover overlaps said first side of said display, and wherein said cover comprises at least one bend joining said first and second portions.

Independent Claims 79 and 89 recite elements similar to independent Claim 69. Claims 70, 73-74, 76-78, 80, 83-84, 86-88, 90, 93-94 and 96-98 depend from their respective independent Claims and recite further elements of the claimed invention.

Applicants respectfully submit that Adair fails to teach or suggest the elements of “a cover disposed above said digitizer and operable to enable said deformation of said digitizer in response to a contact with said cover” as recited in independent Claim 69. As described in the present application, a cover is disposed above the digitizer and operable to enable deformation of the digitizer responsive to a contact with the cover.

In contrast to the claimed embodiments, Applicants understand Adair to teach a rigid enclosure for a monitor which does not allow deformation of a digitizer responsive to a contact with the cover as claimed (see Figure 4 and the Abstract of Adair). Accordingly, Applicants respectfully submit that Adair teaches away from the claimed embodiments by teaching a cover which does not allow deformation of a digitizer instead of a cover which does allow deformation of a digitizer as claimed.

Applicants respectfully submit that Logan and/or the Figures, either alone or in combination with Adair, fail to cure the deficiencies of Adair discussed herein. More specifically, Applicants respectfully submit that Logan and/or the Figures, either alone or in combination with Adair, also fail to teach or suggest

the elements of “a cover disposed above said digitizer and operable to enable said deformation of said digitizer in response to a contact with said cover” as recited in independent Claim 69.

For these reasons, Applicants respectfully submit that independent Claim 69 is not rendered obvious by Adair in view of Logan and further in view of the Figures. Since independent Claims 79 and 89 recite elements similar to independent Claim 69, Applicants respectfully submit that independent Claims 79 and 89 are also not rendered obvious by Adair in view of Logan and further in view of the Figures. Since Claims 70, 73-74, 76-78, 80, 83-84, 86-88, 90, 93-94 and 96-98 recite further elements of the invention claimed in their respective independent Claims, Applicants respectfully submit that Claims 70, 73-74, 76-78, 80, 83-84, 86-88, 90, 93-94 and 96-98 are also not rendered obvious by Adair in view of Logan and further in view of the Figures. Thus, Applicants respectfully submit that Claims 69-70, 73-74, 76-80, 83-84, 86-90, 93-94 and 96-98 overcome the 35 U.S.C. §103(a) rejection of record, and therefore, are allowable.

Claims 71-72, 81-82 and 91-92

Claims 71-72, 81-82 and 91-92 are rejected in the present Office Action under 35 U.S.C. §103(a) as being allegedly unpatentable over Adair in view of Logan further in view of the Figures and further yet in view of United States Patent Number 5,686,705 to Conroy et al. (referred to herein as “Conroy”). Applicants respectfully submit that the embodiments of the present invention as recited in Claims 71-72, 81-82 and 91-92 are not rendered obvious by Adair in

view of Logan further in view of the Figures and further yet in view of Conroy for the following reasons.

Applicants respectfully submit that Conroy, either alone or in combination with Adair, Logan and/or the Figures, also fail to teach or suggest the elements of “a cover disposed above said digitizer and operable to enable said deformation of said digitizer in response to a contact with said cover” as recited in independent Claim 69, and similarly recited in independent Claims 79 and 89. Since Claims 71-72, 81-82 and 91-92 recite further elements of the invention claimed in their respective independent Claims, Applicants respectfully submit that Claims 71-72, 81-82 and 91-92 are not rendered obvious by Adair in view of Logan further in view of the Figures and further yet in view of Conroy. Thus, Applicants respectfully submit that Claims 71-72, 81-82 and 91-92 overcome the 35 U.S.C. §103(a) rejection of record, and therefore, are allowable.

Claims 75, 85 and 95

Claims 75, 85 and 95 are rejected in the present Office Action under 35 U.S.C. §103(a) as being allegedly unpatentable over Adair in view of Logan further in view of the Figures and further yet in view of United States Patent Number 3,757,322 to Barkan et al. (referred to herein as “Barkan”). Applicants respectfully submit that the embodiments of the present invention as recited in Claims 75, 85 and 95 are not rendered obvious by Adair in view of Logan further in view of the Figures and further yet in view of Barkan for the following reasons.

Applicants respectfully submit that Barkan, either alone or in combination with Adair, Logan and/or the Figures, also fail to teach or suggest the elements of “a cover disposed above said digitizer and operable to enable said deformation of said digitizer in response to a contact with said cover” as recited in independent Claim 69, and similarly recited in independent Claims 79 and 89. Since Claims 75, 85 and 95 recite further elements of the invention claimed in their respective independent Claims, Applicants respectfully submit that Claims 75, 85 and 95 are not rendered obvious by Adair in view of Logan further in view of the Figures and further yet in view of Barkan. Thus, Applicants respectfully submit that Claims 75, 85 and 95 overcome the 35 U.S.C. §103(a) rejection of record, and therefore, are allowable.

Claim 99

Applicants respectfully submit that Adair fails to teach or suggest the elements of “wherein said border is operable to conceal at least one component of said portable electronic device” as recited in independent Claim 99. As described in the present application, a cover includes a border, wherein the border is operable to conceal at least one component of a portable electronic device. Support for the claim amendments can be found in, for example, lines 22-23 of page 10 of the instant application.

In contrast to the claimed embodiments, Applicants understand Adair to teach a transparent enclosure for a monitor (see Figure 4 and lines 63-66 of col. 5 of Adair). Accordingly, Applicants respectfully submit that Adair teaches away

from the claimed embodiments by teaching a transparent cover which does not conceal at least one component instead of a cover which does conceal at least one component as claimed.

Applicants respectfully submit that the other cited references of record, either alone or in combination with Adair, fail to cure the deficiencies of Adair discussed herein. More specifically, Applicants respectfully submit that the other cited references of record, either alone or in combination with Adair, also fail to teach or suggest the elements of “wherein said border is operable to conceal at least one component of said portable electronic device” as recited in independent Claim 99.

For these reasons, Applicants respectfully submit that independent Claim 99 is not rendered obvious by the cited references of record. Thus, Applicants respectfully submit that Claim 99 is allowable.

CONCLUSION

Applicants respectfully submit that Claims 69-99 are in condition for allowance and Applicants earnestly solicit such action from the Examiner.

The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 50-4160.

Respectfully submitted,

MURABITO, HAO & BARNES LLP

Dated: 6 / 30 / 2010

/BMF/

Bryan M. Failing
Registration No. 57,974

Two North Market Street
Third Floor
San Jose, CA 95113
(408) 938-9060